



1AP7 Rec'd PCT/PTO 09 JAN 2006

PCT

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jiing-Ren LIOU

Serial No. 10/519,083

Filed: December 23, 2004

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Attorney Docket No. 004974.01057

Group Art Unit: TBA

Examiner: Not Yet Assigned

For: REGULATION OF HUMAN RECEPTOR
TYROSINE KINASE MERTK

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE DO/EO/US**

U.S. Patent and Trademark Office
Customer Service Window, Mail Stop New Application
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant received a Notification of Missing Requirements under 35 U.S.C. 371 in the DO/EO/US, dated December 23, 2005. A copy of the Notification is enclosed. The Notification requests submission of the inventor's declaration.

The declaration was filed July 8, 2005. Copies of that filing and of our stamped postcard receipt are attached. The stamped postcard receipt indicates the USPTO's receipt of the declaration on July 8, 2005.

Please charge any fee which may be required to our Deposit Account No. 19-0733.

Respectfully submitted,

Dated:

January 9, 2006

By:

Lisa M. Hemmendinger

Lisa M. Hemmendinger
Registration No. 42,653

BANNER & WITCOFF, LTD.
Customer No.: 22907
LMH:sdm



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/519,083

FIRST NAMED APPLICANT

Jiing-Ren Liou

ATTY. DOCKET NO.

004974.01057

INTERNATIONAL APPLICATION NO.

PCT/EP03/06827

I.A. FILING DATE

06/27/2003

PRIORITY DATE

06/28/2002

22907
BANNER & WITCOFF
1001 G STREET N W
SUITE 1100
WASHINGTON, DC 20001

RECEIVED

DEC 29 2005

BANNER & WITCOFF, LTD.

CONFIRMATION NO. 8077

371 FORMALITIES LETTER



OC000000017712098

Date Mailed: 12/23/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/23/2004
- Copy of the International Search Report filed on 12/23/2004
- Preliminary Amendments filed on 12/23/2004
- Information Disclosure Statements filed on 12/23/2004
- Biochemical Sequence Diskette filed on 12/23/2004
- Biochemical Sequence Listing filed on 12/23/2004
- Request for Immediate Examination filed on 12/23/2004
- U.S. Basic National Fees filed on 12/23/2004
- Priority Documents filed on 12/23/2004
- Specification filed on 12/23/2004
- Claims filed on 12/23/2004
- Abstracts filed on 12/23/2004
- Paper Computer Listings filed on 12/23/2004

Docketed: 1/3/06

Atttny: LMH/Int'l

Case Ref: 004974.01057

Action: Response to N/Missing Req.

Due Date: 2/23/06

Last Day: 7/23/06

By: S.Y.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

COPY

of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/519,083 | PCT/EP03/06827 | 004974.01057 |

FORM PCT/DO/EO/905 (371 Formalities Notice)

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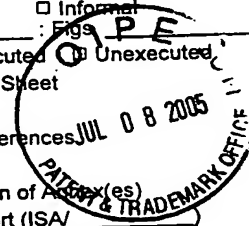
Rec'd PCT/PTO 8 JUL 2005

PCT RO/US BOX PCT

B&W # 004974.01057 Atty/Sec LMH/sdm Inspected By: _____
(Corresponding to U.S. Serial No.: _____ Filed: _____ Date July 8, 2005 (B&W# _____))
In re International Application of L104
International Application No. PCT/EP03/06827
Title Regulation of HUMAN Receptor Tyrosine
KINASE MERTK

The following has been received in the U.S. Receiving Office on the date stamped hereon:

- | | |
|--|--|
| <input type="checkbox"/> New PCT Application & Fee, including: | <input type="checkbox"/> U.S. Nat'l Phase of PCT Application, including: |
| <input type="checkbox"/> Transmittal Letter: 1 Sheet | <input type="checkbox"/> Specification: # of pages of description and claims _____ |
| <input type="checkbox"/> Request: #of Sheets _____ Replacements <input type="checkbox"/> YES <input type="checkbox"/> NO | <input type="checkbox"/> in English Translation |
| <input type="checkbox"/> Fee Calculation Sheet: Original + 1 copy | <input type="checkbox"/> Drawings : <input type="checkbox"/> Formal <input type="checkbox"/> Informal |
| <input type="checkbox"/> Description: #of Shts _____ Replacements <input type="checkbox"/> YES <input type="checkbox"/> NO | <input type="checkbox"/> # of distinct sheets _____ : Figs. _____ |
| <input type="checkbox"/> Claims: #of Sheets _____ Replacements <input type="checkbox"/> YES <input type="checkbox"/> NO | <input checked="" type="checkbox"/> Declaration/PoA : <input checked="" type="checkbox"/> Executed <input type="checkbox"/> Unexecuted |
| <input type="checkbox"/> Abstract: 1 Sheet Replacement <input type="checkbox"/> YES <input type="checkbox"/> NO | <input checked="" type="checkbox"/> Assignment w/PTO Cover Sheet |
| <input type="checkbox"/> Drawings: <input type="checkbox"/> Informal <input type="checkbox"/> Formal #of Sheets _____ | <input type="checkbox"/> Small Entity Declaration |
| Replacements <input type="checkbox"/> YES <input type="checkbox"/> NO | <input type="checkbox"/> IDS w/PTO 1449 <input type="checkbox"/> References |
| <input type="checkbox"/> Executed Power(s) of Attorney: #of POA(s) _____ | <input type="checkbox"/> Preliminary Amendment |
| <input type="checkbox"/> Sequence Listing: # of Sheet(s) _____ | <input type="checkbox"/> IPER w/English Translation of <u>Acx(es)</u> |
| <input type="checkbox"/> Req. for Ext. of Time to Correct Defects until _____ | <input type="checkbox"/> International Search Report (ISA/ |
| <input type="checkbox"/> Response to Invitation to Correct Defects | <u>Charge to:</u> |
| <input type="checkbox"/> Chapter II Demand & Fee # of sheets in Demand _____ | <input checked="" type="checkbox"/> Check # <u>15-0733</u> for \$ <u>170.00</u> |
| <input type="checkbox"/> Article 19 Amendment | _____ |
| <input type="checkbox"/> Response to Written Opinion | _____ |



B&W Rev. 10/00

(21)

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Rec'd PCT/PTC

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2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jiing-Ren LIOU

Serial No. 10/519,083

Filed: December 23, 2004

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Attorney Docket No. 004974.01057

Group Art Unit: TBA

Examiner: Not Yet Assigned

For: REGULATION OF HUMAN RECEPTOR
TYROSINE KINASE MERTK

SUBMISSION OF DECLARATION DOCUMENT

Commissioner of Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Submitted herewith is a copy of the inventor's executed Declaration for the national phase application referenced above.

Please note: To date, we have not received a Notification of Missing Requirements. The attached Transmittal Letter includes the surcharge for filing the declaration after the thirty month period.

Respectfully submitted,

Dated: July 8, 2005

By: Lisa M. Hemmendinger
Lisa M. Hemmendinger
Registration No.: 42,653

Banner & Witcoff, Ltd.
Customer No.: 22907
LMH:sdm

COPY

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

004974.01057

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/519.083

INTERNATIONAL APPLICATION NO.
PCT/EP2003/06827INTERNATIONAL FILING DATE
27 June 2003PRIORITY DATE CLAIMED
28 June 2002

TITLE OF INVENTION

REGULATION OF HUMAN RECEPTOR TYROSINE KINASE MERTK

APPLICANT(S) FOR DO/EO/US

Jiing-Ren LIOU

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☐ Other items or information:

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| U.S. APPLICATION NO (If known, see 37 CFR 1.5) | | INTERNATIONAL APPLICATION NO. | | ATTORNEY'S DOCKET NUMBER | |
|--|--------------|--|------------|--------------------------|----------|
| 10/519,083 | | PCT/EP2003/06827 | | 004974.01057 | |
| The following fees are submitted: | | | | CALCULATIONS | PTO USE |
| 24. <input type="checkbox"/> Basic national fee | | | | \$300 | \$0.00 |
| 25. <input type="checkbox"/> Examination fee | | | | | |
| If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). | | | | \$100 | \$0.00 |
| All other situations. | | | | \$200 | |
| 26. <input type="checkbox"/> Search fee | | | | | |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority | | | | \$100 | |
| International Search Report prepared and provided to the Office | | | | \$400 | |
| All other situations. | | | | \$500 | \$0.00 |
| TOTAL OF 24, 25 and 26 = | | | | \$ | \$0.00 |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole) | RATE | | |
| - 100 = | 0 | /50 = | 0 | x \$250.00 | \$0.00 |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | \$130.00 |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | - 20 = | 0 | x \$50.00 | \$ | \$0.00 |
| Independent claims | - 3 = | 0 | x \$200.00 | \$ | \$0.00 |
| MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00 | | | | \$ | \$0.00 |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | \$130.00 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ | \$0.00 |
| SUBTOTAL = | | | | \$ | \$130.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | \$0.00 |
| TOTAL NATIONAL FEE = | | | | \$ | \$130.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + | | | | \$ | \$40.00 |
| TOTAL FEES ENCLOSED = | | | | \$ | \$170.00 |
| | | | | Amount to be | \$ |
| | | | | Amount to be | \$ |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. | | | | | |
| b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>19-0733</u> in the amount of <u>\$170.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. | | | | | |
| c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0733</u> . A duplicate copy of this sheet is enclosed. | | | | | |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: Banner & Witcoff, Ltd. Customer No: 22907 | | | | | |
| Date <u>July 8, 2005</u> | | | | | |
| SIGNATURE <u>Lisa M. Hemmendinger</u> NAME <u>42,653</u> REGISTRATION NUMBER | | | | | |

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